



PATENT
1422-0502

#6
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3/1/03

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Kazutoh TAKESANO et al. Conf.: 6479

Appl. No.: 09/987,190 Group: 1645

Filed: November 13, 2001 Examiner: Baskar, Padmavathi

For: FUNGAL ANTIGENS AND PROCESS FOR
PRODUCING THE SAME

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REPLY TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, DC 20231

March 27, 2003

Sir:

In reply to the Restriction Requirement dated February 27, 2003, the following remarks are respectfully submitted in connection with the above-identified application.

REMARKS

Claims 1-20 are pending in the present application.

The Examiner has required election in the present application between:

Group I, claims 1-6, drawn to nucleic acid encoding fungal antigen. Further restriction to one SEQ ID NO is also required;

Group II, claims 7 and 13-15, drawn to a process of producing fungal antigen from insoluble fraction;

Group III, claims 8-12, drawn to a process of producing fungal antigen from soluble fraction;

Group IV, claims 16-17, drawn to a method of stimulating immune response using antigen. Further restriction to one SEQ ID NO or one insoluble fungal antigen is also required;

Group V, claims 18-19, drawn to a method of suppressing allergic reaction to fungi. Further restriction to one SEQ ID NO or one soluble fungal antigen is also required; and

Group VI, claim 20, drawn to a method of diagnosing a disease caused by fungi. Further restriction to one SEQ ID NO required or one insoluble fungal antigen or one soluble fungal antigen is also required.

For the purpose of examination of the present application, Applicants elect, with traverse, Group I, claims 1-6. /

The Examiner has also required Applicants to elect a single SEQ ID NO within Group I. As to this sequence, Applicants elect, with traverse, the sequence of SEQ ID NO: 2. However, Applicants submit that they should not be restricted to only this single sequence. For instance, SEQ ID NO: 2 shows a partial amino acid sequence of antigenic protein originated from a fungal antigen of which molecular weight is about 25,000. SEQ ID NO: 6 shows the entire sequence of the amino acid sequence of the antigenic protein, and SEQ ID NO: 8 shows the nucleotide sequence of the nucleic acid encoding the amino acid sequence of SEQ ID NO: 6.


Accordingly, these three sequences share common structural features. Thus, Applicants submit that each of SEQ ID NOS: 2, 6 and 8 should be searched and considered by the Examiner in the same application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie (Reg. No. 42,874) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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